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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,945	09/27/2001	Manoel Tenorio	020431.0953	7105

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EXAMINER
AIRAPETIAN, MILA

ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on <u>*02/21/2006*</u>.

2a)☒ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant's amendment received on 02/21/2006 is acknowledged and

entered. The applicant has amended claims 1-7, 10-19, 21-30 and 32. Currently,

claims 1-32 are pending for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 4, 6-13 and 16-32 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Jammes et al. (US 6,484,149).

Claim 1. Jammes teaches a system for operating an electronic store comprising:

one (or more) seller databases including product data for one or more products

(col. 3, lines 7-12);

a seller selection interface operable to receive one (or more) seller requirements

from a buyer ((Fig. 4), selecting a product from the seller presented interface indicates

selecting a seller or receiving a seller requirements from a buyer);

a global content directory server associated with the seller selection interface, the

global content directory server operable to generate one or more custom global content

directories based on the seller requirements received from the buyer (Fig. 1, item 106).

one (or more) custom global content directories each including a plurality of

product classes organized in a hierarchy, each product class categorizing a plurality of

products from one (or more) sellers satisfying the seller requirements received from the

buyer and each product class associated with one or more attributes of the products

categorized in the product class, (col. 4, lines 22- 28), at least one of the product

classes having one or more associated pointers that identify one (or more) seller

databases associated with sellers satisfying the seller requirements received from the

buyer (col. 23, lines 50-58).

a search interface associated with the custom global content directories, the

search interface operable to communicate a search query to the seller databases to

search the product data stored in the seller databases identified by one of the pointers

(Fig. 7D, item 776; col. 26, lines 17-27) .

Jammes teaches presenting one product selection interface by a merchant.

Jammes does not explicitly teach said generation one (or more) global content

directories is based on the seller requirements received from the buyer. However,

Jammes discloses selecting a product from the seller presented interface, thereby

indicating selecting a seller or receiving a seller selection requirements. Therefore, it

would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify Jammes to include that said generation one (or more) global content

directories is based on the seller requirements received from the buyer, because it

would advantageously allow to assess the popularity of the merchant's website, as well

as the popularity of particular sellers.

Claim 2. Jammes teaches said system further operable to:

receive one or more product requirements from a buyer (col. 47, line 9) and

generate one or more custom global content directories based on the product

requirements received from the buyer (col. 53, lines 58-64).

Claim 4. Jammes teaches said system wherein one (or more) of the pointers

identify particular product data in one (or more) of the seller databases where the

product data is associated with sellers satisfying the seller requirements received from

the buyer (col. 23, lines 50-58).

Claim 6. Jammes teaches said system wherein the search interface is further

operable to: receive search results from one or more of the seller databases in

response to the search query, the search results including product data associated with

one or more products satisfying the search query and from sellers satisfying the seller

requirements received from the buyer; and communicate the search results to the buyer

(col. 26, lines 17-27).

Claim 7. Jammes teaches said system wherein the one or more the custom

global content directories are further operable to:

receive a selection from the buyer of a product for which product data is included in the search results (col. 26, lines 17-27); and

communicate address information associated with a seller database that includes product data for the selected product, the address information enabling the buyer to communicate with a seller associated with the seller database who satisfy the seller requirements received from the buyer to conduct a commerce transaction relating to the selected product (col. 7, lines 8-11).

Claim 8. Jammes teaches said system wherein the one or more custom global content directories comprise one or more private global content directories containing product classes having one or more associated pointers that identify product data only available to one or more buyers associated with the private global content directory (col. 4, lines 22-28).

Claim 9. Jammes teaches said system wherein the seller selection interface is further operable to receive an access code from the buyer, the access code operable to allow the buyer to search the product data associated with the private global content directories (col. 49, lines 28-30; col. 54, lines 58-65).

Claim 10. Jammes teaches a method for operating an electronic store comprising:

receiving one or more seller requirements from a buyer (Fig. 4);

creating one (or more) custom global content directories based on the seller

requirements received from the buyer, the custom global content directory comprising a

directory structure including a plurality of product classes organized in a hierarchy, each

product class categorizing a plurality of products from one (or more) sellers satisfying

the seller requirements received from the buyer and each product class associated with

one or more attributes of the products categorized in the product class (col. 4, lines 22-

28; col. 3, lines 28-32), one (or more) of the product classes having one or more

associated pointers that identify a one or more seller databases associated with sellers

satisfying the seller requirements received from the buyer (col. 23, lines 50-58);

receiving a selection of a product class from the buyer, the product class having

a pointer identifying one (or more) of the seller databases (Abstract, col. 11, lines 54-

58);

in response to the selection of the product class by the buyer, communicating a

search query to the seller databases to search the product data (Abstract, col. 11, lines

54-58, Fig. 7D, item 776).

Claim 11. Jammes teaches said method wherein one or more of the pointers

identify particular product data in one or more of the seller databases where the product

data is for sellers satisfying the seller requirements received from the buyer (col. 23,

lines 50-58).

Claim 12. Jammes teaches said method further comprising: receiving one or

more product requirements from a buyer (col. 11, lines 54-58); and

generating one or more custom global content directories based on the product

requirements received from the buyer (col. 54, lines 57-67; col. 55, lines 1-12).

Claim 13. Jammes teaches said method wherein creating the custom global

content directory comprises associating the product classes with product data for one or

more sellers satisfying the seller requirements received from the buyer (col. 3, lines 28-

32; col. 4, lines 22-28).

Claim 16. Jammes teaches said method wherein communicating a search query

to the seller databases comprises communicating the search query to the seller

databases associated with the sellers that satisfy the seller requirements received from

the buyer (col. 26, lines 18-27).

Claim 17. Jammes teaches said method further comprising: receiving search

results from one (or more) of the seller databases in response to the search query, the

search results including product data associated with one (or more) products satisfying

the search query from the sellers satisfying the seller requirements received from the

buyer; and communicating the search results to the buyer (Fig. 7D, item 776; col. 26,

lines 17-27).

Claim 18. Jammes teaches said method further comprising:

receiving a selection from the buyer of a product for which product data is

included in the search results (col. 26, lines 17-27); and

communicating address information associated with a seller database that

includes product data for the selected product, the address information enabling the

buyer to communicate with a seller associated with the seller database to conduct a

commerce transaction relating to the selected product (col. 7, lines 8-11).

Claim 19. Jammes teaches said method wherein creating one or more custom

global content directories based on the seller requirements received from the buyer

comprises creating one or more private global content directories containing product

classes having one or more associated pointers that identify product data only available

to one or more buyers associated with the private global content directory (col. 3, lines

28-32; col. 4, lines 22-28).

Claim 20. Jammes teaches said method further comprising receiving an access

code from the buyer, the access code operable to allow the buyer to access a private

global content directory (col. 49, lines 29-30).

Claims 21-32. These claims are rejected on the same rationale as set forth

above in Claims 1-9.

Claims 3, 14 and 15 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Jammes in view of Giovannoli (US 5,758,328).

Claim 3. Jammes teaches all the limitations of claim 3 including generating custom global content directories where the pointers identify seller databases in the languages corresponding to the geographic location of the user (Jammes, col. 3, lines 28-32; col. 4, lines 22- 28), except that said system is further operable to determine a geographic location for the user and one or more languages that correspond to the geographic location of the user.

Giovannoli teaches a method and system for conducting communications between buyers and sellers over a network, including an interface configured to to determine a geographic location for the user and one or more languages that correspond to the geographic location of the user (col. 5, lines 9-12; col. 7, lines 9-14), ("...select vendors ... who meet any other conditions set by the requesting buyer (e.g. language..., or vendor location"; "a buyer who specifies vendors of volt meters in New York State will reach more vendors than if New York City alone were specified").

The motivation to combine Jammes and Giovanolli teachings would be to allow the buyers to choose sellers from locations that would be preferable from delivery and shipping cost points of views.

Claim 14. Jammes teaches all the limitations of claim 14 except providing multi-language support based upon the geographic location of the user.

Giovannoli teaches providing multi-language support based upon the geographic location of the user (col. 5, lines 9-12, col. 7, lines 9-14), ("...select vendors ... who meet any other conditions set by the requesting buyer (e.g. language..., or vendor location").

The motivation to combine Jammes and Giovannoli would be to expand business into foreign countries, resulting in increase of revenue and profits for sellers.

Claim 15. Jammes teaches all the limitations of claim 15 including creating the custom global content directory using the seller requirements (col. 3, lines 28-32; col. 4, lines 22-28) except that said method comprises: determining a geographic location for the user; determining one or more languages that correspond to the geographic location of the user.

Giovannoli teaches a method and system for conducting communications between buyers and sellers over a network, including an interface configured to to determine a geographic location for the user and one or more languages that correspond to the geographic location of the user (col. 5, lines 9-12; col. 7, lines 9-14), ("...select vendors ... who meet any other conditions set by the requesting buyer (e.g. language..., or vendor location"; "a buyer who specifies vendors of volt meters in New York State will reach more vendors than if New York City alone were specified").

The motivation to combine Jammes and Giovanolli teachings would be to allow the buyers to choose sellers from locations that would be preferable from delivery and shipping cost points of views.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jammes in view of Van Etten et al. (US 2005/0261983).

Claim 5. Jammes teaches all the limitations of claim 5 except said system wherein the search query comprises desired values, specified by the user, for one or more of the product attributes associated with the selected product class.

Van Etten teaches a procurement system wherein the search query comprises desired values, specified by the user, for one or more of the product attributes associated with the selected product class [0031].

The motivation to combine Jammes and Van Etten is that the use of the class/attribute/value approach permits a comparison of multiple items that meet the parametric search criteria and the selection of the item that meets the buyer's specific requirements [0033].

Response to Arguments

Applicant's arguments filed 02/21/2006 have been fully considered but they are not persuasive.

In response to the Applicant's argument that Jammes does not teach "a seller selection interface operable to receive one or more seller requirements form a buyer", it is noted that Jammes teaches an interface presented by the seller for selecting products by the buyer (Fig. 4, items 404 and 402). So, as the claim 1 recites that it could be only *one* seller requirements interface, and it could be only *one* custom global content directory, Examiner stipulates that selecting a product from the interface presented by the seller indicates selecting said seller by the buyer.

In response to the Applicant's argument that Jammes does not teach "generating one or more custom global content directories based on the seller requirements received from the buyer", it is noted that Jammes does, in fact, teach this feature. Specifically, Jammes teaches _one_ custom global content directories based on the seller requirements received from the buyer (Fig. 4, items 404 and 403; col. 4, lines 23-28).

In response to the Applicant's argument that Jammes does not teach "one or more custom global content directories each including a plurality of product classes organized in a hierarchy, each product class categorizing a plurality of products from one or more sellers satisfying the seller requirements received from the buyer", it is noted that Jammes teach _one_ custom global content directory (Fig. 4), including a plurality of products from _one_ seller satisfying the seller requirements received from the buyer (Fig. 4, items 404, 402).

As per Applicant's argument that Jammes does not include "each product class associated with one or more attributes of the products categorized in the product class, at least one of the product classes having one or more associated pointers that identify one or more seller databases associated with sellers satisfying the seller requirements received from the buyer", it is noted that Jammes explicitly teaches said feature. Specifically, Jammes teaches "product tree structure comprises nodes, each of which includes pointers to other nodes. Each node also includes data about a group and a pointer to a product data structure..." (col. 23, lines 48-57).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
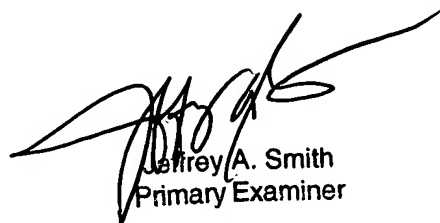
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mila Airapetian whose telephone number is (571) 272-3202. The examiner can normally be reached on Monday-Friday 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on (571) 272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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MA

Jeffrey A. Smith
Primary Examiner